

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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STEPHEN FLANAGAN, as a Trustee of the GENERAL  
BUILDING LABORERS' LOCAL 66 VACATION FUND  
STEPHEN FLANAGAN, as a Trustee of the GENERAL  
BUILDING LABORERS' LOCAL 66 WELFARE FUND;  
STEPHEN FLANAGAN, as a Trustee of the GENERAL  
BUILDING LABORERS' LOCAL 66 PENSION FUND;  
STEPHEN FLANAGAN, as Trustee of the GENERAL  
BUILDING LABORERS' LOCAL 66 ANNUITY FUND;  
STEPHEN FLANAGAN, as a Trustee of the GENERAL  
BUILDING LABORERS' LOCAL 66 LABORERS'  
EMPLOYER COOPERATIVE AND EDUCATIONAL TRUST  
FUND; STEPHEN FLANAGAN, as a Trustee of the  
GENERAL BUILDING LABORERS' LOCAL 66 GREATER  
NY LABORERS' EMPLOYER COOPERATIVE AND  
EDUCATIONAL TRUST FUND; STEPHEN FLANAGAN,  
as a Trustee of the GENERAL BUILDING LABORERS'  
LOCAL 66 TRAINING PROGRAM; STEPHEN FLANAGAN,  
as a Trustee of the GENERAL BUILDING LABORERS'  
LOCAL 66 NEW YORK STATE HEALTH AND SAFETY  
FUND; STEPHEN FLANAGAN, as Business Manager of  
GENERAL BUILDING LABORERS' LOCAL UNION NO. 66  
of the LABORERS' INTERNATIONAL UNION OF NORTH  
AMERICA, AFL-CIO,

Plaintiffs,

-against-

WILLIAM G. PROPHY LLC dba WGP CONTRACTING INC.  
and WILLIAM G. PROEFRIEDT,

Defendants.

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**A. KATHLEEN TOMLINSON, Magistrate Judge:**

**I. DEADLINES AND COURT APPEARANCES**

Deadline for completion of initial disclosures  
Required by Rule 26(a):

August 29, 2018

First request for production of documents  
and first request for interrogatories due by:

October 15, 2018

Responses to first request for production  
of documents and first set of interrogatories  
due by:

November 29, 2018

Deadline for joinder of additional parties and  
Amendment of pleadings

December 28, 2018

Status Conference:

January 9, 2019

INITIAL CASE MANAGEMENT  
AND SCHEDULING ORDER

2:18-cv-01303-JS-AKT

**II. CHECKLIST TO BE COMPLETED BY THE PARTIES AND RETURNED WITH THE RULE 26(f) DISCOVERY PLAN:**

A. Initial Disclosures: Counsel confirm that the Initial Disclosures have been served:

Plaintiff:

Defendant:

☐ Yes ☒ No

☐ Yes ☒ No

B. Stipulation and Order of Confidentiality: Counsel confirm that they have consulted in good faith regarding the need for such an order:

☒ Yes ☐ No

Based on that consultation, counsel find that a Stipulation and Order of Confidentiality is:

☒ Needed ☐ Not needed

C. Electronically Stored Information ("ESI"): Counsel confirm that they have met and conferred regarding the existence of any relevant ESI on both sides:

☒ Yes ☐ No

The parties have had some preliminary discussion about the type of ESI which is in their clients' respective possession or control and how they wish to have such ESI produced:

☒ Yes ☐ No

Based on those discussions, counsel are advising the Court that the relevant ESI consists of

1. Tax Returns
2. Employee Records, Cash disbursement journal
3. Certified payroll and weekly payroll books
4. Timesheets, Employee W-2's and W-3
5. Remittance reports to all benefit Funds, bank statements, cancelled checks and emails

D. HIPAA Release Authorizations: Counsel confirm that such authorizations for this case are:

☐ Needed

☒ Not Needed

**SO ORDERED:**

Dated: Central Islip, New York

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A. KATHLEEN TOMLINSON  
United States Magistrate Judge